

THE HONORABLE BRIAN A. TSUCHIDA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHRISTOPHER J. HADNAGY, an
individual; and SOCIAL-ENGINEER,
LLC, a Pennsylvania limited liability
company,

Plaintiffs,

v.

JEFF MOSS, an individual; DEF CON
COMMUNICATIONS, INC., a Washington
corporation; and DOES 1-10; and ROE
ENTITIES 1-10, inclusive,

Defendants.

No. 2:23-cv-01932-BAT

**SUPPLEMENTAL
DECLARATION OF
MATTHEW J. MERTENS IN
SUPPORT OF DEF CON'S
REPLY IN SUPPORT OF
SUMMARY JUDGMENT**

Noted for Consideration: March 21,
2025

1 I, Matthew J. Mertens, declare and state as follows:

2 1. I am a partner at Perkins Coie LLP, and I serve as counsel for
3 Defendants Def Con Communications, Inc. and Jeff Moss (collectively, “Def Con”) in
4 the above-entitled action. I have personal knowledge of the matters attested to
5 herein.

6 2. Attached as **Exhibit A** is a true and correct copy of my January 29,
7 2025, email to counsel for Hadnagy and a true and correct copy of my attachment
8 thereto.

9 3. Attached as **Exhibit B** is a true and correct copy of my email
10 correspondence to Hadnagy’s counsel dated May 28, 2024.

11 4. Attached as **Exhibit C** is a true and correct copy of my email
12 correspondence to Hadnagy’s counsel dated June 13, 2024.

13 5. Attached as **Exhibit D** is a true and correct copy of an excerpt from the
14 deposition of Michelle Fincher conducted on October 14, 2024.

15 6. Attached as **Exhibit E** is a true and correct copy of an excerpt from the
16 deposition of Maxie Reynolds conducted on September 27, 2024.

17 7. Attached as **Exhibit F** is a true and correct copy of an excerpt from the
18 deposition of Cat Murdock conducted on October 24, 2024.

19 8. Attached as **Exhibit G** is a true and correct copy of an excerpt from the
20 deposition of Neil Wyler conducted on November 14, 2024.

21 9. Attached as **Exhibit H** is a true and correct copy of an excerpt from the
22 deposition of Jeff Moss conducted on July 31, 2024.

23 10. Attached as **Exhibit I** is a true and correct copy of email correspondence
24 from my colleague Lauren Trambley to Hadnagy’s counsel dated November 14, 2024.

25 Attached as **Exhibit J** is a true and correct copy of the production link from
26

1 Kiteworks sent to Hadnagy's counsel. I contemporaneously received these
2 communications.

3 11. Attached as **Exhibit K** is a true and correct copy of an excerpt from the
4 deposition of Jessica Levine conducted on September 19, 2024.

5 I declare under penalty of perjury under the laws of the State of Washington
6 that the foregoing is true and correct.

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8 Dated: March 21, 2025

9 s/Matthew J. Mertens

10 Matthew J. Mertens
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